



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,368	09/11/2003	Brian N. Belanger	2222.3810000	3018

26111 7590 10/22/2008
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

JOHNSON, CARLTON

ART UNIT	PAPER NUMBER
----------	--------------

2436

MAIL DATE	DELIVERY MODE
-----------	---------------

10/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/659,368	Applicant(s) BELANGER ET AL.	
	Examiner CARLTON V. JOHNSON	Art Unit 2436	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responding to application papers filed **9-11-2003**.
2. Claims **1 - 40** are pending. Claims **1, 4 - 8, 10 - 16, 19 - 24, 26 - 31, 33 - 40** have been amended. Claims **1, 7, 15, 16, 23, 24, 29, 30** are independent.

Response to Arguments

3. Applicant's additional arguments filed 6/18/2008 have been fully considered but they were not persuasive.

- 3.1 Applicant argues that the referenced prior art does not disclose, "a hierarchical structure for authentication process". (see Remarks Page 17, 18)

The term "hierarchical" is not disclosed within the claimed invention. The claimed invention does not disclose a hierarchical structure. The specification discloses the term hierarchical on page 12, paragraph [0035]. The term is used to refer to a hierarchical collection of data or a hierarchical data structure.

The Timson prior art discloses hierarchical sets of permissions (see Timson col. 4, line 67 - col. 5, line 1: hierarchical sets of permissions for data operations) and a hierarchical secure data system with a hierarchical scheme or process for access determination. (see Timson col. 11, line 66 - col. 12, line 4: hierarchical secure data system; implemented as a dual secure data module scheme or process)

Art Unit: 2136

3.2 Applicant argues that the referenced prior art does not disclose, "modify the one or more access requirements. (see Remarks Page 20)

There is no disclosure to modify the access requirements by the resolution authority in the specification of the original claims. See the 112 rejection.

3.3 Applicant argues, "dependent claims". (see Remarks Pages 23, 24)

Arguments for dependent claims are based upon above arguments for independent claims **1, 7, 16, 24, 29, 30**. The successful responses to arguments for independent claims **1, 7, 16, 24, 29, 30**, also successfully respond to the current arguments against the dependent claims **2-4, 8 - 10, 14, 17 - 19, 25, 26, 31 - 33, 38 - 40**.

3.4 The Timson prior art discloses receiving a request for access. The Timson prior art discloses both attempts to gain access information such as submitting a request (see Timson col. 3, lines 57-64: request for access) and receiving a request (see Timson col 3, line 57 - col. 4, line 15: response to the request from enabling module; request/response mechanism)

Without a successful authorization comparison (a match), access is not permitted. All of the required functions are disclosed by the Timson prior art as indicated in the accompanying citations. (see Timson col. 3, line 34 - col. 4, line 15: access information; request/response authorization information; comparison of candidate (authorization) information; authorization verification, or prohibition if verification not successful) The Examiner has reevaluated Applicant's remarks and has determined that the Applicant

Art Unit: 2136

desires a third party to act as a resolution authority in performing an additional authentication service.

The Timson prior art discloses the capability to add additional authentication modules to the authentication procedures. These additional authentication modules can generate a hierarchical structure for the authentication process with access to the resolution authority performed as a last authentication process as per claim limitation. (see Timson col 4, line 60 - col. 5, line 4: hierarchical authorization structure) The Timson and Moreh prior art combination discloses the usage of a resolution authority to provide an additional authentication services. (see Moreh col. 2, lines 48-62; col. 5, line 56 - col. 6, line 19: authentication services between client and server using intermediate entity (protocol proxy))

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims **1, 7, 15, 16, 23, 24, 29, 30** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is no disclosure for: the resolution authority, which is configured to modify the one or more access

Art Unit: 2136

requirements". There is no disclosure for a resolution authority to modify access requirements in the specification or the original claims. Appropriate correction required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims **1 - 4, 7 - 10, 14, 16 - 19, 24 - 26, 29 - 33, 37 - 40** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Timson et al.** (US Patent No. **6,041,412**) in view of **Moreh et al.** (US Patent No. **6,959,336**).

Regarding Claims 1, 7, 24, 29, Timson discloses a method for providing an access candidate access to secured electronic data, the method comprising:

- a) receiving a request for access candidate access to the secured electronic data by a controller associated with the secured electronic data; (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing (i.e. request submitted and processed))
- b) comparing, at the controller, one or more attributes of the access candidate with one or more access requirements associated with the secured electronic data; (see Timson col. 2, lines 50-59: attributes; col. 3, lines 11-16: determine (i.e.

Art Unit: 2136

comparing), enable access)

- c) submitting, by the controller, a request for authorization in response to a comparison that indicates that access by the access candidate is prohibited; (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing, resolution authority; col. 2, lines 50-59: attributes; col. 4, lines 7-11: access determination (comparison, match) required for access (i.e. prohibited without authorization)) and ;
- d) granting the access candidate access to the secured electronic data if authorization for such access. (see Timson col. 4, lines 7-11: access enabled (i.e. granted))

Timson discloses access determination using additional authorization modules. (see Timson col 4, line 60 - col. 5, line 4: additional authorization modules) Timson does not specifically disclose a resolution authority or a 3rd party providing authentication services. However, Moreh discloses a resolution authority, which is configured to modify the one or more access requirements. (see Moreh col. 2, lines 48-62; col. 5, line 56 - col. 6, line 19: authentication services between client and server using intermediate entity (protocol proxy))

It would have been obvious to one of ordinary skill in the art to modify Timson to use authentication services such as a resolution authority as taught by Moreh. One of ordinary skill in the art would have been motivated to employ the teachings of Moreh in order to permit users and service provides the flexibility of choosing where to authenticate. (see Moreh col. 2, lines 44-46: “ ... *And another object of the*

Art Unit: 2136

invention is to provide an authentication system which permits users and service providers to choose where to authenticate. ... “)

Regarding Claims 2, 8, 17, 25, 31, Timson discloses the method as in Claims 1, 8, 16, 24, 30, further comprising granting the access candidate access to the secured electronic data in response to a comparison that indicates that access by the access candidate is not prohibited. (see Timson col. 4, lines 7-11: access enabled (i.e. granted), not prohibited; col. 4, lines 7-11: access determination (comparison, match) required for access (i.e. prohibited without authorization))

Regarding Claims 3, 9, 18, 32, Timson discloses the method as in Claims 2, 7, 16, 30, further comprising denying the access candidate access to the secured electronic data if denied authorization. (see Timson col. 3, lines 28-32; col. 4, lines 11-15: access denied)

Timson discloses access determination using additional authorization modules. (see Timson col 4, line 60 - col. 5, line 4: additional authorization modules) Timson does not specifically disclose a resolution authority or a 3rd party providing authentication services. However, Moreh discloses a resolution authority. (see Moreh col. 2, lines 48-62; col. 5, line 56 - col. 6, line 19: authentication services between client and server using intermediate entity (protocol proxy))

It would have been obvious to one of ordinary skill in the art to modify Timson to use authentication services such as a resolution authority as taught by Moreh. One of

Art Unit: 2136

ordinary skill in the art would have been motivated to employ the teachings of Moreh in order to permit users and service provides the flexibility of choosing where to authenticate. (see Moreh col. 2, lines 44-46)

Regarding Claims 4, 10, 19, 26, 33, Timson discloses the method as in Claims 1, 7, 16, 24, 30, wherein the one or more access requirements associated with the secured electronic data are represented as part of a graphical display associated with the access candidate and accessed for display to the controller via a network. (see Timson col. 5, lines 26-35: display capability for user interface information; access permission information)

Regarding Claims 14, 37, Timson discloses the method as in Claims 7, 30, wherein at least one of the request for access to the first security level or the request for access to the second security level is submitted by one or more sponsors. (see Timson col. 14, lines 13-20: request, 1st level security; col. 14, lines 25-35: request processing, 2nd level security)

Regarding Claim 16, Timson discloses a system for providing an access candidate access to secured electronic data, the system comprising:

- a) storage configured to receive and store the electronic data; (see Timson col. 18, lines 9-12; col. 18, lines 18-21: storage capability for accessible data)
- b) one or more resources configured to access and manipulate the electronic data;

Art Unit: 2136

(see Timson col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources to access and manipulate data)

- c) means for evaluating a request for access candidate access to the one or more resources, wherein the evaluation of the request includes a first comparison of one or more attributes of the access candidate with one or more access requirements associated with the one or more resources; (see Timson col. 5, lines 5-13: software means; col. 2, lines 50-59: attributes; col. 3, lines 34-40; col. 3, lines 57-64: request processing, evaluation to enable access)
- d) means for granting the access candidate access to the one or more resources if the first comparison indicates that access is not prohibited; (see Timson col. 5, lines 5-13: software means; col. 4, lines 7-11: access enabled (i.e. granted))
- e) means for evaluating a request for access candidate access to the electronic data by the one or more resources, wherein the evaluation of the request includes a second comparison of one or more attributes of the access candidate with one or more access requirements associated with the electronic data; (see Timson col. 5, lines 5-13: software means; col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources to access and manipulate data)
- f) means for submitting a request for authorization if the second comparison indicates that access to the electronic data by the access candidate is prohibited; (see Timson col. 5, lines 5-13: software means; col. 3, lines 34-40; col. 3, lines 57-64: request processing, must be authorized to access data) and
- g) means for granting the access candidate access to the electronic data using the

Art Unit: 2136

one or more resources if authorized. (see Timson col. 5, lines 5-13: software means; col. 3, lines 28-32; col. 4, lines 11-15: access enabled (i.e. granted))

Timson discloses access determination using additional authorization modules. (see Timson col 4, line 60 - col. 5, line 4: additional authorization modules) Timson does not specifically disclose a resolution authority or a 3rd party providing authentication services. However, Moreh discloses a resolution authority, which is configured to modify the one or more access requirements. (see Moreh col. 2, lines 48-62; col. 5, line 56 - col. 6, line 19: authentication services between client and server using intermediate entity (protocol proxy))

It would have been obvious to one of ordinary skill in the art to modify Timson to use authentication services such as a resolution authority as taught by Moreh. One of ordinary skill in the art would have been motivated to employ the teachings of Moreh in order to permit users and service providers the flexibility of choosing where to authenticate. (see Moreh col. 2, lines 44-46)

Regarding Claim 30, Timson discloses in a data security system having a first security level securing one or more resources for manipulating electronic data and a second security level securing access to the electronic data by the one or more resources, a method for determining an access candidate's access to the electronic data, the method comprising:

- a) receiving a request for access to the first security level; (see Timson col. 3, lines 34-40: request processing (i.e. submitted and processed))

Art Unit: 2136

- b) granting the access candidate access to the first security level based on a comparison of one or more attribute: of the access candidate with one or more access requirements associated with the first security level; (see Timson col. 14, lines 13-20: 1st security level processing)
- c) receiving a request for access to the second security level; (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing (i.e. submitted and processed)) and
- d) submitting a request for authorization to a resolution authority in response to a comparison of one or more attributes of the access candidate with one or more access requirements associated with the second security level that indicates that access to the second security level by the access candidate is prohibited without authorization and determining the access candidate's access to the second security level. (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing; col. 14, lines 25-35: 2nd security level processing; col. 4, lines 7-11: access determination (comparison, match) required for access (i.e. prohibited without authorization))

Timson discloses the generation of a hierarchical structure for access determination such as additional authorization modules. (see Timson col 4, line 60 - col. 5, line 4: hierarchical authorization structure) Timson does not specifically disclose a resolution authority or a 3rd party providing authentication services. However, Moreh discloses a resolution authority, which is configured to modify one or more access requirements associated with the second security level. (see Moreh col. 2, lines 48-

Art Unit: 2136

62; col. 5, line 56 - col. 6, line 19: authentication services between client and server using intermediate entity (protocol proxy))

It would have been obvious to one of ordinary skill in the art to modify Timson to use authentication services such as a resolution authority as taught by Moreh.

One of ordinary skill in the art would have been motivated to employ the teachings of Moreh in order to permit users and service providers the flexibility of choosing where to authenticate. (see Moreh col. 2, lines 44-46)

Regarding Claim 38, Timson discloses the method as in claim 1, further comprising determining the authorization by granting a waiver of one or more access requirements associated with the secured electronic data. (see Timson col. 4, lines 44-56: permission attributes for records are changeable; col 10, lines 37-45: generation of access permissions, data modules)

Timson discloses the generation of a hierarchical structure for access determination such as additional authorization modules. (see Timson col 4, line 60 - col. 5, line 4: hierarchical authorization structure) Timson does not specifically disclose a resolution authority or a 3rd party providing authentication services. However, Moreh discloses a resolution authority. (see Moreh col. 2, lines 48-62; col. 5, line 56 - col. 6, line 19: authentication services between client and server using intermediate entity (protocol proxy))

It would have been obvious to one of ordinary skill in the art to modify Timson to use authentication services such as a resolution authority as taught by Moreh. One of

Art Unit: 2136

ordinary skill in the art would have been motivated to employ the teachings of Moreh in order to permit users and service provides the flexibility of choosing where to authenticate. (see Moreh col. 2, lines 44-46)

Regarding Claim 39, Timson discloses the method as in claim 1, further comprising: determining the authorization by modifying the one or more access requirements associated with the secured electronic data. (see Timson col. 4, lines 44-56: permission attributes for records are changeable; col 10, lines 37-45: generation of access permissions, data modules)

Timson discloses the generation of a hierarchical structure for access determination such as additional authorization modules. (see Timson col 4, line 60 - col. 5, line 4: hierarchical authorization structure) Timson does not specifically disclose a resolution authority or a 3rd party providing authentication services. However, Moreh discloses a resolution authority. (see Moreh col. 2, lines 48-62; col. 5, line 56 - col. 6, line 19: authentication services between client and server using intermediate entity (protocol proxy))

It would have been obvious to one of ordinary skill in the art to modify Timson to use authentication services such as a resolution authority as taught by Moreh. One of ordinary skill in the art would have been motivated to employ the teachings of Moreh in order to permit users and service provides the flexibility of choosing where to authenticate. (see Moreh col. 2, lines 44-46)

Art Unit: 2136

Regarding Claim 40, Timson discloses the method as in claim 1, further comprising determining the authorization by excluding the electronic data assigned to one or more prohibited data classes from access by the access candidate. (see Timson col. 4, lines 44-56: permission attributes for records are changeable; col 10, lines 37-45: generation of access permissions, data modules)

Timson discloses access determination using additional authorization modules. (see Timson col 4, line 60 - col. 5, line 4: additional authorization modules) Timson does not specifically disclose a resolution authority or a 3rd party providing authentication services. However, Moreh discloses a resolution authority. (see Moreh col. 2, lines 48-62; col. 5, line 56 - col. 6, line 19: authentication services between client and server using intermediate entity (protocol proxy))

It would have been obvious to one of ordinary skill in the art to modify Timson to use authentication services such as a resolution authority as taught by Moreh. One of ordinary skill in the art would have been motivated to employ the teachings of Moreh in order to permit users and service providers the flexibility of choosing where to authenticate. (see Moreh col. 2, lines 44-46)

8. Claims **5, 6, 11 - 13, 15, 20 - 23, 27, 28, 34 - 36** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Timson-Moreh** and further in view of **Orsini et al.** (US Patent No. **20040049687**).

Regarding Claims 5, 11, 13, 27, Timson discloses the method as in Claims 1, 7, 24,

Art Unit: 2136

wherein the one or more access requirements. (see Timson col. 2, lines 50-59; col. 2, lines 41-49: attributes, permissions; col. 3, lines 34-40: required to access resources)

Timson does not specifically disclose one or more access requirements related to at least one of a citizenship status of the access candidate or a current location of the access candidate. However, Orsini discloses wherein one or more access requirements are related to at least one of a citizenship status of the access candidate and a current location of the access candidate. (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

It would have been obvious to one of ordinary skill in the art to modify Timson as taught by Orsini to enable one or more access requirements related to at least one of a citizenship status of the access candidate and a current location of the access candidate. One of ordinary skill in the art would have been motivated to employ the teachings of Orsini in order to enable a relatively fast, secure, and efficient authentication of data streams. (see Orsini paragraph [0012], lines 1-3: “ ... *Based on the foregoing, a need exists to provide a cryptographic system whose security is user-independent while still supporting mobile users. ...* ”; paragraph [0013], lines 1-3: “ ... *Accordingly, one aspect of the present invention is to provide a method for securing virtually any type of data from unauthorized access or use. ...* ”)

Regarding Claims 6, 12, 22, 28, 36, Timson discloses the method as in Claims 5, 11, 16, 27, 30, wherein the one or more attributes of the access candidate. (see Timson

Art Unit: 2136

col. 2, lines 50-59: permissions, attributes for requestor (i.e. access candidate); col. 3, lines 34-40: required to access resources) Timson does not specifically disclose one or more attributes relate to at least one of a citizenship status of the access candidate and a current location of the access candidate. However, Orsini discloses wherein one or more attributes of the access candidate relate to the at least one of a citizenship status of the access candidate or a current location of the access candidate. (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

It would have been obvious to one of ordinary skill in the art to modify Timson as taught by Orsini to enable one or more attributes related to at least one of a citizenship status of the access candidate and a current location of the access candidate. One of ordinary skill in the art would have been motivated to employ the teachings of Orsini in order to enable a relatively fast, secure, and efficient authentication of data streams. (see Orsini paragraph [0012], lines 1-3; paragraph [0013], lines 1-3)

Regarding Claim 15, Timson discloses in a data security system having a first security level securing one or more resources for manipulating electronic data and a second security level securing the electronic data, a method for providing an access candidate access to the electronic data, the method comprising:

- a) identifying a plurality of data subsets of the electronic data; (see Timson col. 6 lines 43-46; multiple data sets and data records (i.e. a plurality of datasets))
- d) granting the access candidate access to the first security level based at least in

Art Unit: 2136

part on an evaluation of the request for access to the first level; ((see Timson col. 14, lines 13-20: request, 1st level security)

- g) granting the access candidate access to the requested at least one data subset at the second security level if authorization is provided upon receipt of the request for authorization. (see Timson col. 14, lines 25-35: request, 2nd level security; col. 4, lines 7-11: access enabled (i.e. granted))

Timson discloses wherein a request (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing; col. 2, lines 56-59; col. 17, lines 4-11: country attribute), and determining, for each data subset, at least one data class associated with the data subset (see Timson col. 2, lines 50-59: one data class or attributes of a class), and receiving from a first sponsor of the access candidate, a request for access to the first security level (see Timson col. 3, lines 34-40: request processing; col. 2, lines 56-59; col. 17, lines 4-11: country attribute, requestor attributes; col. 14, lines 13-20: request, 1st level security), and a second sponsor of the access candidate, a request for access to at least one data subset at the second security level in response to an indication that access to the first security level has been granted (see Timson col. 14, lines 25-35: request, 2nd level security), and a request for authorization in response to a comparison of the at least one data class of the requested data subset that indicates that access to a requested data subset at the second level by the access candidate is prohibited. (see Timson col. 3, lines 34-40: permissions required to access data; col. 4, lines 7-11: access determination (comparison, match) required for access (i.e. prohibited without authorization))

Art Unit: 2136

Timson does not specifically disclose an indication of a citizenship status of the access candidate, an indication of a current location of the access candidate, and an indication of an existence of a data access agreement with the access candidate.

However, Orsini discloses:

- b) at least a citizenship requirement and a location requirement for access to data associated with the data class; (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)
- c) an indication of a citizenship status of the access candidate, an indication of a current location of the access candidate, and an indication of an existence of a data access agreement with the access candidate; (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information, citizenship information)
- e) an indication of a citizenship status of the access candidate and an indication of a current location of the access candidate; (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)
- f) citizenship status and the current location of the access candidate with the respective citizenship requirement and location requirement; (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

It would have been obvious to one of ordinary skill in the art to modify Timson

Art Unit: 2136

as taught by Orsini to enable the request including an indication of a citizenship status of the access candidate, an indication of a current location of the access candidate, and an indication of an existence of a data access agreement with the access candidate. One of ordinary skill in the art would have been motivated to employ the teachings of Orsini in order to enable a relatively fast, secure, and efficient authentication of data streams. (see Orsini paragraph [0012], lines 1-3; paragraph [0013], lines 1-3)

Timson discloses access determination using additional authorization modules. (see Timson col 4, line 60 - col. 5, line 4: additional authorization modules) Timson-Orsini does not specifically disclose a resolution authority or a 3rd party providing authentication services. However, Moreh discloses a resolution authority, which is configured to modify access requirements associated with the at least one data class. (see Moreh col. 2, lines 48-62; col. 5, line 56 - col. 6, line 19: authentication services between client and server using intermediate entity (protocol proxy))

It would have been obvious to one of ordinary skill in the art to modify Timson-Orsini to use authentication services such as a resolution authority as taught by Moreh. One of ordinary skill in the art would have been motivated to employ the teachings of Moreh in order to permit users and service provides the flexibility of choosing where to authenticate. (see Moreh col. 2, lines 44-46)

Regarding Claim 20, Timson discloses the system as in Claim 16, wherein one or more access requirements associated with the one or more resources related. (see

Art Unit: 2136

Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing; col. 2, lines 56-59; col. 17, lines 4-11: country information, attributes) Timson does not specifically disclose at least one of: a valid data access agreement with a potential access candidate; a current location of the potential access candidate; and a citizenship status of the potential access candidate. However, Orsini discloses wherein at least one of: a valid data access agreement with a potential access candidate; a current location of the potential access candidate; and a citizenship status of the potential access candidate. (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

It would have been obvious to one of ordinary skill in the art to modify Timson as taught by Orsini to enable at least one of: a valid data access agreement with a potential access candidate; a current location of the potential access candidate; and a citizenship status of the potential access candidate. One of ordinary skill in the art would have been motivated to employ the teachings of Orsini in order to enable a relatively fast, secure, and efficient authentication of data streams. (see Orsini paragraph [0012], lines 1-3; paragraph [0013], lines 1-3)

Regarding Claims 21, 34, 35, Timson discloses the system as in Claims 20, 30, 34, wherein one or more access candidate attributes. (see Timson col. 2, lines 50-56: attributes; col. 2, lines 56-59; col. 17, lines 4-11: country attribute, resource access) Timson does not specifically disclose at least one of: an indication of an existence of a data access agreement with the access candidate; a current location of the access

Art Unit: 2136

candidate; and a citizenship status of the access candidate. However, Orsini discloses wherein at least one of: an indication an existence of a data access agreement with the access candidate; a current location of the access candidate; or a citizenship status of the access candidate. (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

It would have been obvious to one of ordinary skill in the art to modify Timson as taught by Orsini to enable at least one of: an indication an existence of a data access agreement with the access candidate; a current location of the access candidate; and a citizenship status of the access candidate. One of ordinary skill in the art would have been motivated to employ the teachings of Orsini in order to enable a relatively fast, secure, and efficient authentication of data streams. (see Orsini paragraph [0012], lines 1-3; paragraph [0013], lines 1-3)

Regarding Claim 23, Timson discloses a system for providing an access candidate access to secured electronic data, the electronic data being associated with one or more data classes, each data class identifying at least a citizenship requirement and a location requirement for access to data associated with the data class, the system comprising:

- a) storage configured to receive and store the electronic data; (see Timson col. 18, lines 9-12; col. 18, lines 18-21: storage capability, data, information)
- b) one or more resources configured to process and manipulate the electronic data;

Art Unit: 2136

(see Timson col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources to process and manipulate data)

- e) adapted to authorize access to one or more portions of the electronic data in response to a comparison performed by a corresponding data access controller indicates access is prohibited; (see Timson col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources (i.e. resolution authorities) to control access and manipulate data; col. 3, lines 34-40: authorization required to access data; col. 4, lines 7-11: access determination (comparison, match) required for access (i.e. prohibited without authorization)) and
- f) a data access module configured to: evaluate a request for access to one or more portions of the electronic data by the one or more resources to identify one or more data access controllers corresponding to the one or more portions of the electronic data; (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing; col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources (i.e. controllers) to enable (i.e. grant) access to data)) and
- g) forward the request for access to the one or more identified data access controllers for evaluation as to whether to grant the access candidate access to the corresponding one or more portions of the electronic data. (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing (i.e. submit, forward request for processing); col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources to enable (i.e. grant) control access to data))

Timson discloses wherein one or more data access controllers configured to grant

Art Unit: 2136

access to a corresponding portion of the electronic data based at least in part on a comparison, and associated with one or more resources or data classes of the corresponding portion of the electronic data. (see Timson col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources to access and manipulate data; col. 4, lines 7-11: access enabled (i.e. granted)) Timson does not specifically disclose a citizenship status, a current location of the access candidate and an existence of a data access agreement with a citizenship requirement, location requirement and data access agreement requirement.

However, Orsini discloses:

- c) a citizenship status and a current location of the access candidate and an existence of a data access agreement with a citizenship requirement, wherein the location requirement and the data access agreement requirement; (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)
- d) the citizenship status and the current location of the access candidate with a citizenship requirement and a location requirement; (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

It would have been obvious to one of ordinary skill in the art to modify Timson as taught by Orsini to enable at least one of: an indication an existence of a data access agreement with the access candidate; a current location of the access candidate; and a citizenship status of the access candidate. One of ordinary skill in

Art Unit: 2136

the art would have been motivated to employ the teachings of Orsini in order to enable a relatively fast, secure, and efficient authentication of data streams. (see Orsini paragraph [0012], lines 1-3; paragraph [0013], lines 1-3)

Timson discloses access determination using additional authorization modules. (see Timson col 4, line 60 - col. 5, line 4: additional authorization modules) Timson-Orsini does not specifically disclose a resolution authority or a 3rd party providing authentication services. However, Moreh discloses a resolution authority, which is configured to modify one or more access requirements. (see Moreh col. 2, lines 48-62; col. 5, line 56 - col. 6, line 19: authentication services between client and server using intermediate entity (protocol proxy))

It would have been obvious to one of ordinary skill in the art to modify Timson to use authentication services such as a resolution authority as taught by Moreh. One of ordinary skill in the art would have been motivated to employ the teachings of Moreh in order to permit users and service providers the flexibility of choosing where to authenticate. (see Moreh col. 2, lines 44-46)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

Art Unit: 2136

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlton V. Johnson whose telephone number is 571-270-1032. The examiner can normally be reached on Monday thru Friday , 8:00 - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information

Application/Control Number: 10/659,368

Page 26

Art Unit: 2136

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nasser G Moazzami/
Supervisory Patent Examiner, Art Unit 2436

Carlton V. Johnson
Examiner
Art Unit 2436

CVJ
October 1, 2008